<div align="center">**REMARKS**</div>

Claims 1-4, 6-10, 12-14, and 17, all the claims pending in the application, stand rejected on prior art grounds. Claims 1-4 and 6 stand rejected under 35 U.S.C. §101. Claims 1 and 6 are amended as suggested by the Examiner Vezeris. No new matter is added. Applicants respectfully traverse these rejections based on the following discussion. The following paragraphs have been numbered for ease of reference.

I.   The 35 U.S.C. §101 Rejection

[0001] Claims 1-4 and 6 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 1 and 6 are amended as suggested by the Examiner. Applicants therefore request withdrawal of this rejection.

II.   The Prior Art Rejections

[0002] Claims 1-4, 6-7, 9-10, 12-14, and 17 stand rejected under 35 U.S.C. §102(e) as being anticipated by Preist, et al. (U.S. Publication No. 2002/0120588), hereinafter referred to as Preist.

[0003] Applicants submit that Preist fails to disclose, teach or even suggest at least the features of: 1) using said computer to execute a multi-party trading mechanism to arrive at trading offers, the trading offers being submitted by the trading parties based on the initial requirements of the user; 2) wherein the multi-party trading mechanism comprises one of a continuous double auction, a call market, an ascending price auction, a descending price auction, a first price sealed bid auction, a uniform second price auction, and a reverse auction conducted by the user and the trading parties; 3) using said computer to select a first trading offer from the trading offers of said multi-party trading mechanism; and 4) using said computer to invoke standalone bilateral negotiations, which stand apart from the multi-party trading mechanism, to arrive at customized trading offers, the standalone bilateral negotiations being invoked with the trading parties who submitted trading offers, as recited in claim 1 and similarly recited in independent claims 6-7, 12 and 17.

[0004] Preist describes a computer system for allowing negotiation between a plurality of

entities, the computer system comprising a computer network having a plurality of computer nodes; a computer node being arranged to define the negotiation between the entities with a set of negotiation activities; wherein the computer node is operable to implement a plurality of negotiation rule sets, each rule set constraining the negotiation activities to a specific negotiation type, thereby allowing a plurality of negotiation types to be selected by an entity.

[0005] The Advisory Actions asserts that Preist, paras. 55-63 generally and Preist, paras. 55,56 and 62 in particular, address the features of "multiparty trading mechanism as well as standalone bilateral negotiations." (Advisory Action, p. 2, §11)

[0006] However, Applicants note that the 5/6/2009 Response drew attention to the fact that Preist fails to provide for the interchange between multiparty trading and standalone bilateral negotiations. (See 5/6/2009 Response, paras. 5-9) The advantages of such a combined system were described in the Published Application, at for example, paras. 13, 29 and 89-90. Thus, Applicants submit the interplay between the recited elements in the claims as well as clarifications of meanings discussed in the Specification render Preist inapposite.

[0007] Thus, independent claims 1, 6-7, 12 and 17 define patentable subject matter over the art of record. Claims 2-4, 9-10 and 13-14 depend from these claims and therefore define patentable subject matter for at least the same reasons.

[0008] Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Preist, in view of Holden, et al. (U.S. Publication No. 20010032175), hereinafter referred to as Holden. Applicants respectfully traverse these rejections based on the following discussion.

[0009] Holden describes a method and system for providing an on-line auction, which may be part of a larger on-line community, for conducting and facilitating transactions in a commodity goods marketplace or industry. An embodiment of the present invention provides a World Wide Web ("Web") based auction site for conducting and facilitating transactions in an industry. The auction-based model allows a supplier to sell or buy goods closer to a real market price than the current method of offering the commodity via telephone, facsimile, or electronic mail (e-mail). The users receive automatic e-mails notifying them of the status of an auction. E-mails and on-line screens show time of day information in a user's local time zone. The end time of auction is automatically extended when there is activity close to the prescheduled end time.

Both forward and reverse auctions are enabled.

[0010] The Communication does not assert that Holden remedies any of the above-identified deficiencies of Preist, nor does it. Thus, claim 8 defines patentable subject matter over the asserted combination of Presit and/or Holden.

[0011] The claimed invention, as provided in amended independent claims 1, 6, 7, 12 and 17 contain features, which are patentably distinguishable from the prior art references of record.

[0012] Moreover, the Applicants note that all claims are properly supported in the specification and accompanying drawings, and no new matter is being added. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections.

III.   Formal Matters and Conclusion

[0013] With respect to the rejections to the claims, the claims have been amended, above, to overcome these rejections. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections to the claims.

[0014] In view of the foregoing, Applicants submit that claims 1-4, 6-10, 12-14, and 17, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

[0015] Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary. Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0441.

Respectfully submitted,

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